

Environmental Protection Agency

§ 80.140

§ 80.130 Agreed upon procedures reports.

(a) *Reports.* (1) The CPA or CIA shall issue a report summarizing the procedures performed and the findings in accordance with the attest engagement or internal audit performed in compliance with this subpart.

(2) The refiner, importer or blender shall provide a copy of the auditor's report to the EPA within the time specified in § 80.75(m).

(b) *Record retention.* The CPA or CIA shall retain all records pertaining to the performance of each agreed upon procedure and pertaining to the creation of the agreed upon procedures report for a period of five years from the date of creation and shall deliver such records to the Administrator upon request.

§ 80.131 Agreed upon attest engagement procedures for previously certified gasoline.

The following are the agreed upon procedures which must be carried out pursuant to the attest engagement requirements of § 80.125 where a refiner uses previously certified gasoline under the provisions of § 80.65(i) and § 80.101(g)(9):

(a) Obtain a listing of all previously certified gasoline batches reported to EPA by the refiner. Agree the total volume of previously certified gasoline from the listing of previously certified gasoline received to the volume of previously certified gasoline reported to EPA.

(b) Select a sample, in accordance with the guidelines in § 80.127, from the listing obtained in paragraph (a) of this section, and for each previously certified gasoline batch selected perform the following:

(1) Trace the previously certified gasoline batch to the tank activity records. Confirm that the previously certified gasoline was included in a batch of reformulated or conventional gasoline produced at the refinery.

(2) Obtain the refiner's laboratory analysis and volume measurement for the previously certified gasoline when received and agree the properties and volume listed in the corresponding batch report submitted to the EPA to

the laboratory analysis and volume measurements.

(3) Obtain the product transfer documents for the previously certified gasoline when received and agree the designations from the product transfer documents to designations in the corresponding batch report submitted to EPA (reformulated gasoline, RBOB or conventional gasoline, and designations regarding VOC control).

[66 FR 67108, Dec. 28, 2001]

§§ 80.132–80.135 [Reserved]

Subpart G—Detergent Gasoline

SOURCE: 59 FR 54706, Nov. 1, 1994, unless otherwise noted.

§ 80.140 Definitions.

The definitions in this section apply only to subpart G of this part. Any terms not defined in this subpart shall have the meaning given them in 40 CFR part 80, subpart A, or, if not defined in 40 CFR part 80, subpart A, shall have the meaning given them in 40 CFR part 79, subpart A.

Additization means the addition of detergent to gasoline or post-refinery component in order to create detergent-additized gasoline or detergent-additized post-refinery component.

Automated detergent blending facility means any facility (including, but not limited to, a truck or individual storage tank) at which detergent is blended with gasoline or post-refinery component, by means of an injector system calibrated to automatically deliver a prescribed amount of detergent.

Base gasoline means any gasoline that does not contain detergent.

Carburetor deposits means the deposits formed in the carburetor during operation of a carburetted gasoline engine which can disrupt the ability of the carburetor to maintain the proper air/fuel ratio.

Carrier of detergent means any distributor of detergent who transports or stores or causes the transportation or storage of detergent without taking title to or otherwise having any ownership of the detergent, and without altering either the quality or quantity of the detergent.

Deposit control effectiveness means the ability of a detergent additive package to prevent the formation of deposits in gasoline engines.

Deposit control efficiency means the degree to which a detergent additive package at a given concentration in gasoline is effective in limiting the formation of deposits. The addition of inactive ingredients to a detergent additive package, to the extent that this addition dilutes the concentration of the detergent-active components, reduces the deposit control efficiency of the package.

Detergent additive package means any chemical compound or combination of chemical compounds, including carrier oils, that may be added to gasoline, or to post-refinery component blended with gasoline, in order to control deposit formation. Carrier oil means an oil that may be added to the package to mediate or otherwise enhance the detergent chemical's ability to control deposits. A detergent additive package may contain non-detergent-active components such as corrosion inhibitors, antioxidants, metal deactivators, and handling solvents.

Detergent blender means any person who owns, leases, operates, controls or supervises the blending operation of a detergent blending facility, or imports detergent-additized gasoline or detergent-additized post-refinery component.

Detergent blending facility means any facility (including, but not limited to, a truck or individual storage tank) at which detergent is blended with gasoline or post-refinery component.

Detergent-active components means the components of a detergent additive package which act to prevent the formation of deposits, including, but not necessarily limited to, the actual detergent chemical and any carrier oil (if present) that acts to enhance the detergent's ability to control deposits.

Detergent-additized gasoline (also called *detergent gasoline*) means any gasoline that contains base gasoline and detergent.

Detergent-additized post-refinery component means any post-refinery component that contains detergent.

Distributor of detergent means any person who transports or stores or causes

the transportation or storage of detergent at any point between its manufacture and its introduction into gasoline.

Fuel injector deposits (also known as *port fuel injector deposits* or *PFID*) means the deposits formed on fuel injector(s) during and after operation of a gasoline engine, as evaluated by the reduction in the gasoline flow rate through the fuel injector(s).

Gasoline means any fuel for use in motor vehicles and motor vehicle engines, including both highway and off-highway vehicles and engines, and commonly or commercially known or sold as gasoline. The term "gasoline" is inclusive of base gasoline, detergent gasoline, and base gasoline or detergent gasoline that has been commingled with post-refinery component.

Hand blending detergent facility means any facility (including, but not limited to, a truck or individual storage tank) at which detergent is blended with gasoline or post-refinery component by the manual addition of detergent, or at which detergent is blended with these substances by any means that is not automated.

Intake valve deposits (IVD) means the deposits formed on the intake valve(s) during operation of a gasoline engine, as evaluated by weight.

Leaded gasoline means gasoline which is produced with the use of any lead additive or which contains more than 0.05 gram of lead per gallon or more than 0.005 gram of phosphorus per gallon.

Manufacturer of detergent means any person who owns, leases, operates, controls, or supervises a facility that manufactures detergent. Pursuant to the definition in 40 CFR 79.2(f), a manufacturer of detergent is also considered an additive manufacturer.

Post-refinery component means any gasoline blending stock or any oxygenate which is blended with gasoline subsequent to the gasoline refining process.

Repeatability of a test method means the amount of random error which is expected to affect the results obtained for a given test substance, when the test is replicated by a single operator in a given laboratory within a short period of time, using the same apparatus under constant operating conditions.

Quantitatively, it is the difference between two such single results that would be exceeded in the long run in only one out of twenty normal and correct replications of the test method.

[59 FR 54706, Nov. 1, 1994, as amended at 61 FR 35356, July 5, 1996]

§ 80.141 Interim detergent gasoline program.

(a) *Effective dates of requirements.* (1) Until June 30, 1997, the products listed in paragraphs (a)(1)(i) through (iii) of this section must comply with either the interim program requirements described in this section or the certification program requirements described in § 80.161. Beginning July 1, 1997, the listed products must comply with the requirements in § 80.161. These dates and requirements apply to:

(i) All gasoline sold or transferred to a party who sells or transfers gasoline to the ultimate consumer;

(ii) All additized post-refinery component (PRC); and

(iii) All detergent additives sold or transferred for use in gasoline or PRC for compliance with the requirements of this subpart.

(2) Until July 31, 1997, all gasoline sold or transferred to the ultimate consumer must contain detergent additive(s) meeting either the interim requirements of this § 80.141 or the certification program requirements of § 80.161. Beginning August 1, 1997, such gasoline must contain detergent additive(s) meeting the certification requirements of § 80.161.

(b) *Applicability of gasoline and PRC detergency requirement; responsible parties.* (1) Except as specifically exempted in § 80.160, the detergency requirements of this subpart apply to all gasoline, whether intended for on-highway or nonroad use, including conventional, reformulated, oxygenated, and leaded gasolines, as well as the gasoline component of fuel mixtures of gasoline and alcohol fuels, gasoline used as marine fuel, gasoline service accumulation fuel (as described in § 86.113-94(a)(1) of this chapter), the gasoline component of fuel mixtures of gasoline and methanol used for service accumulation in flexible fuel vehicles (as described in § 86.113-94(d) of this chapter), gasoline

used for factory fill purposes, and all additized PRC.

(2) Pursuant to paragraphs (c) through (f) of this section, compliance with these requirements is the responsibility of parties who directly or indirectly sell or dispense gasoline to the ultimate consumer as well as parties who manufacture, supply, or transfer detergent additives or detergent-additized post-refinery components.

(c) *Detergent registration requirements.* To be eligible for use by fuel manufacturers in complying with the gasoline detergency requirements of this subpart, a detergent additive package must be registered by its manufacturer under 40 CFR part 79 according to the specifications in paragraphs (c) (1) through (3) of this section. After evaluating the adequacy of registration data provided by the detergent manufacturer pursuant to these requirements, if EPA finds the data to be deficient, EPA may disqualify the detergent package for use in complying with the gasoline detergency requirements of this subpart, under the provisions of paragraph (g) of this section.

(1) *Compositional data.* The compositional data supplied to EPA by the additive manufacturer for purpose of registering a detergent additive package under § 79.21(a) of this chapter must include:

(i) A complete listing of the components of the detergent additive package, using standard chemical nomenclature when possible or providing the chemical structure of any component for which the standard chemical name is not precise. Polymeric components may be reported as the product of other chemical reactants, provided that the supporting data specified in § 80.162(b) is also reported for such components.

(ii) The weight and/or volume percent (as applicable) of each component of the package, with variability in these amounts restricted according to the provisions of paragraph (c)(2) of this section.

(iii) For each detergent-active component of the package, classification into one of the following designations:

(A) Polyalkyl amine;

(B) Polyether amine;

(C) Polyalkylsuccinimide;